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6p3766

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Group Art Unit 3766

In re

Patent Application of

John D. Puskas

Application No. 10/051,752

Confirmation No.: 7521

Filed: January 16, 2002

Examiner: Carl Hernandez Layno

"APPARATUS FOR INDIRECTLY
STIMULATING THE VAGUS NERVE
WITH AN ELECTRICAL FIELD"

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 CFR §1.97(b)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Examiner's attention is directed to the references which are listed on the attached Form PTO/SB/08A and PTO/SB/08B. Copies of the non-patent references are attached.

Citation of these references is respectfully requested.

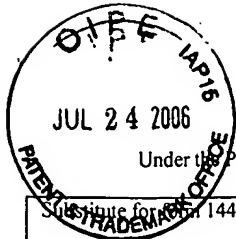
No concession is made that these documents are prior art, and Applicant expressly reserves the right to antedate the documents as may be appropriate.

Respectfully submitted,

Raye Lynn Daugherty

Raye L. Daugherty
Reg. No. 47,933

File No. 065071-9052-04
Michael Best & Friedrich LLP
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414.271.6560



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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) Sheet 1 of 2	Complete if Known	
	Application Number	10/051,752
	Filing Date	January 16, 2002
	First named Inventor	John D. Puskas
	Group Art Unit	3766
	Examiner name	Carl Hermandz Layno
Attorney Docket Number		065071-9052-04

U.S. Patent Documents

Examiner Initials	U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document
	3,937,226	Funke	2/10/1976
	4,088,140	Fritsche	2/15/1977
	4,303,075	Heilman et al.	12/1/1981
	4,332,259	McCorkle, Jr.	6/1/1982
	4,354,497	Kahn	10/19/1982
	4,458,677	McCorkle, Jr.	7/10/1984
	4,548,203	Tacker, Jr. et al.	10/22/1985
	4,928,688	Mower	5/29/1990
	4,929,688	Allen et al.	5/29/1990
	5,174,289	Cohen	12/29/1992
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	5,998,386	Feldman	12/7/1999
	6,141,590	Renirie et al.	10/31/2000
	6,221,851	Feldman	4/2/2001

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) Sheet 2 of 2		Complete if Known		
		Application Number	10/051,752	
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		First named Inventor	John D. Puskas	
		Group Art Unit	3766	
		Examiner name	Carl Hermandz Layno	
		Attorney Docket Number	065071-9052-04	
U.S. Patent Documents				
Examiner Initials		U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document
		6,381,499	Taylor et al.	4/30/2002
		6,537,540	Burnstein et al.	3/25/2003
		6,572,895	Smith et al.	6/3/2003
		6,589,954	Mavunkel et al.	7/8/2003
		2001/0049543	Kroll	12/6/2001
		2002/072782	Osorio, et al.	6/13/2002
		2003/045909	Gross et al.	3/6/2003

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Country Code	Foreign Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Translation	English Abstract
	WO	01/89526	Tracey	11/29/2001		

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				Group Art Unit	3766
				Examiner Name	Carl Hernandez Layno
Sheet	1	of	3	Attorney Docket Number	065071-9052-04

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue numbers(s), publisher, city and/or country where published.
		BESEDOVSKY, H., et al., "Immunoregulatory Feedback Between Interleukin-1 and Glucocorticoid Hormones," Science, Vol. 233, No. 4764, pp. 652-654, 1986.
		BOROVIKOVA, L.V., et al., "Role of Vagus Nerve Signaling in CNI-1493-mediated Suppression of Acute Inflammation," Autonomic Neuroscience: Basic and Clinical, Vol. 85, pp. 141-147, 2000.
		BOROVIKOVA, L.V., et al., "Vagus Nerve Stimulation Attenuates the Systemic Inflammatory Response to Endotoxin," Nature, Vol. 405, 2000.
		BRISTOW, M., "The Adrenergic Nervous System In Heart Failure," The New Eng. J. of Med., Vol. 311, No. 13, pp. 850-851, 1984.
		DIWAN, A., et al., "Inflammatory Mediators and the Failing Heart: A Translational Approach," Cur. Mol. Med., Vol. 3, No. 2, pp. 161-182, 2003.
		FINKEL, M., et al., "Negative Inotropic Effects of Cytokines on the Heart Mediated by Nitric Oxide," Science, Vol. 257, pp. 387-389, 1992.
		FLESHNER, M., et al., "Thermogenic and Corticosterone Responses to Intravenous Cytokines (IL-1 β and TNF- α) are Attenuated by Subdiaphragmatic Vagotomy," J. of Neuroimmunology, Vol. 86, pp. 134-141, 1998.
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		GUARINI, S., et al., "Efferent Vagal Fibre Stimulation Blunts Nuclear Factor - κ B Activation and Protects Against Hypovolemic Hemorrhagic Shock

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				First Named Inventor	John D. Puskas
				Group Art Unit	3766
				Examiner Name	Carl Hernandez Layno
Sheet	2	of	3	Attorney Docket Number	065071-9052-04

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Examiner Initials		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue numbers(s), publisher, city and/or country where published.
		GULICK, T., et al., "Interleukin 1 and Tumor Necrosis Factor Inhibit Cardiac Myocyte β -adrenergic Responsiveness," Proc. Natl. Acad. Sci. USA, Vol. 86, pp. 6753-6757, Sept. 1989.
		KROWN, K., et al. "Tumor Necrosis Factor Alpha-Induced Apoptosis in Cardiac Myocytes: Involvement of the Sphingolipid Signaling Cascade in Cardiac Cell Death," J. Clin. Invest., Vol. 98, No. 12, 1996.
		LI, Y. Y., et al., "Myocardial Extracellular Matrix Remodeling in Transgenic Mice Overexpressing Tumor Necrosis Factor α can be Modulated by Anti-tumor Necrosis Factor α Therapy," PNAS, Vol. 97, No. 23, pp. 12746-12751, 2000.
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		MANN, D., et al., "New Therapeutics for Chronic Heart Failure," Annu. Rev. Med., Vol. 53, pp. 59-74, 2002.
		MANN, D., "Mechanisms and Models in Heart Failure – A Combinatorial Approach," Circulation, Vol. 100, pp. 999-1008, 1999.
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		TAN, L.B., et al., "Cardiac Myocyte Necrosis Induced by Antiotensin II," J. Am. Heart Assoc., Vol. 69, pp. 1185-1195, 1991.

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Examiner Initials		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue numbers(s), publisher, city and/or country where published.
		WATKINS, L., et al., "Implications of Immune-to-Brain Communication for Sickness and Pain," Proc. Natl. Acad. Sci. USA, Vol. 96, pp. 7710-7713, July 1999.
		YEH, Shing-Shing, et al., "Geriatric Cachexia: The Role of Cytokines ^{1,2} ," Am. J Clin. Nutr., Vol. 70, pp. 183-97, 1999.
		YOKOYAMA, T., et al., "Cellular Basis for the Negative Inotropic Effects of Tumor Necrosis Factor - α in the Adult Mammalian Heart," The Journal of Clinical Investigation, Vol. 92, pp. 2303-2312, Nov. 1993.
		YOKOYAMA, T., et al., "Tumor Necrosis Factor - α Provokes a Hypertrophic Growth Response in Adult Cardiac Myocytes," Circulation, Vol. 95, pp. 1247-1252, 1997.

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